IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

ARBITRATION PETITION (LODG.) NO.14 OF 2006

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NexTenders (India) Ltd. ...Petitioners

v/s.

Ravindra Waman Shevade & Ors. ...Respondents

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Mr.Y.H.Muchhala Sr.Advocate and Dr.Virendra Tulzapurkar, Sr.Advocate with Ms.Hansa L. Advani i/b Mr. Sagheer A. Khan for the Petitioners.

Mr.A.S.Nevagi with Sarang Khanzo De i/b Paras Kuhad & Associates for Respondent No.1.

Mr.M.S.Topkar for Respondent No.3.

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CORAM: D.K.DESHMUKH, J.

DATED: 20TH JANUARY,2006

P.C.:

By consent of parties, petition is disposed of in following terms:-

1. By consent of parties Hon'ble Mr.Justice S.P. Bharucha (Retd.) is appointed as arbitrator to decide the disputes between the parties in accordance with the Arbitration Act, as the Respondent No.1 is not willing to go before the named arbitrator.

2. The Petitioner shall make an application before the learned Arbitrator for appropriate interim orders within one week from today.

3. The learned Counsel appearing for the Respondent No.1 states that for a period of two weeks from today the Respondent No.1 shall not in any manner divulge any of the confidential information/trade

secrets/business strategies/legal strategies as well as information relating to intellectual properties of the Petitioner, knowledge of which he acquired during the course of employment. He also states that for a period of two weeks from today, the Respondent No.1 shall not work for the Respondent No.2 or any other person.

Statements are accepted.

4. The learned Counsel appearing for the Petitioners states that without prejudice to their contentions that the full salary of the Respondent No.1 has already been paid to him, the Petitioners shall pay to the Respondent No.1 an amount of Rs.2,50,000/-, within a period of one week from today, which according to the Respondent No.1 is due to him from the Petitioners subject to further orders that may be passed by the learned arbitrator in the arbitration proceedings.

5. It is clarified that the Petitioners shall be entitled to move the learned arbitrator for any urgent ad-interim order that may be necessary.

6. The learned Counsel appearing for the Respondent No.1 states that he has agreed to the appointment of the learned arbitrator without prejudice to his rights to seek some other remedy.

7. Petitioners to communicate this order to the learned arbitrator.

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